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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) NO. CR 11-0100 SI
Plaintiff,)
v.)
REYNALDO PEDRO CUENCA)
VELASCO,)
Defendant.)

**STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME UNDER 18
U.S.C. § 3161**

On March 7, 2011, the parties in this case appeared before the Court. At that time, the Court set the matter to March 25, 2011 at 11:00 a.m. before the Honorable Susan Illston. The parties have agreed to exclude the period of time between March 7, 2011 and March 25, 2011, from any time limits applicable under 18 U.S.C. § 3161. The parties have represented that granting the exclusion would allow the reasonable time necessary for effective preparation of counsel and continuity of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

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1 At the hearing, the Court made findings consistent with this agreement.

2 SO STIPULATED:

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4 MELINDA HAAG
United States Attorney

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6 DATED: March 9, 2011

/s/
7 LOWELL C. POWELL
Special Assistant United States Attorney

8
9 DATED: March 9, 2011

/s/
10 BARRY PORTMAN
Attorney for REYNALDO PEDRO CUENCA
11 VELASCO

12
13 [PROPOSED] ORDER

14 For the reasons stated above and at the March 7, 2011 hearing, the Court finds that the
15 exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from March 7,
16 2011 through March 25, 2011 is warranted and that the ends of justice served by the continuance
17 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C.
18 §3161(h)(7)(A). The failure to grant the requested exclusion of time would unreasonably deny
19 counsel for the defendant and for the Government the reasonable time necessary for effective
20 preparation, taking into account the exercise of due diligence, and deny the parties continuity of
21 counsel. 18 U.S.C. §3161(h)(7)(B)(iv).

22 IT IS SO ORDERED.

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24 DATED: 3/15/11

